

### **REMARKS/ARGUMENTS**

Applicants thank the Examiner for his time during the personal interview on September 16, 2008.

Claims 1- 41 are pending in the Application, of which claims 1, 24, and 41 are independent. In the Office Action, the Examiner rejected claims 1-3, 7-9, 12-13, 15-17, 19-20, 22, 24-26, 28, 31-32, 34-38, 40, and 41 as allegedly anticipated by U.S. Patent 3,894,437 to Hagy et al. (Hagy). The Examiner rejected claims 5 and 6 as allegedly obvious over Hagy in view of U.S. Patent Application 2002/0107649 to Takiguchi et al. (Takiguchi). The Examiner rejected claims 11 and 30 as allegedly obvious over Hagy in view of U.S. Patent 5,831,937 to Weir et al. (Weir). The Examiner rejected claim 10 as allegedly obvious over Hagy in view of U.S. Patent 6,006,165 to Okada (Okada). The Examiner rejected claims 14, 18, 21, 23, 33, and 39 as allegedly obvious over Hagy in view of "Movement awareness for a sentient environment" by Headon (Headon).

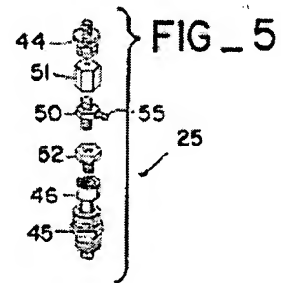
Claims 1, 24, and 41 are amended. No new matter has been added. Applicants submit that the above rejections are overcome for the following reasons.

#### **Rejection of Claims Under 35 U.S.C. § 102**

Claims 1, 34, and 41, as amended, recite in part that the sensor module is "touching the upper surface of a floor" and that the "subject walks on the upper surface of the floor in proximity to said sensor module." The placement and location of the sensor module in the Application is quite different than the arrangement of the features in Hagy.

The Application claims a sensor module that rests independently on top of a floor so that a subject can walk in proximity to the sensor module. As the Examiner points out in the Office Action, according to the common dictionary definition of "floor", a "floor" forms the lower enclosing surface of a room. Because a subject may walk only on the upper surface of the floor and because, as claimed in the Application, the sensor module rests on the upper surface of the floor, the subject and the sensor module both are above the same plane, i.e., the floor.

In Hagy, the sensor module (force plate assembly 20) is "mounted flush with the surface of the walkpath 11" (Col. 3, lns 56-60). Additionally, the "force plate 22 is vertically supported on the support means 24 by means of a plurality of load cell assemblies...25." (Col. 4, lns. 27-30, and Fig. 2). Furthermore, it is "understood that such vertical force 30 will result in the application of varying amounts of vertical force to the load cell assemblies 25." (Col 5, lns 23-50). Therefore, it is the plurality of load cell assemblies that actually detect any movement or force applied to the floor. Thus, the load cell assemblies 25, which are vertically below the "floor," act as the sensor modules in Hagy. (See Fig. 5).



So, in comparison, the sensor module in the Application rests on the upper surface of the floor. In contrast, in Hagy, the sensor modules (load cell assemblies) are beneath the floor. If the function of the load cell assemblies, in Hagy, is transferred to the entirety of the force plate 22 or the force plate assembly 25, the subject must literally walk on the sensor module. Therefore, Hagy does not anticipate the sensor module as claimed in the Application.

As each of the independent claims has not been shown to be anticipated by or reasonably obvious in view of Hagy and as the dependent claims recite additional elements supporting their allowability, Applicants respectfully request that the rejections be withdrawn and that the claims be allowed.

Appl. No. 10/550,157  
Amdt. dated October 14, 2008  
Amendment under 37 CFR 1.116 Expedited Procedure  
Examining Group 3736

PATENT  
Attorney Docket No.: 21764L-001100US

**Rejection of Claims Under 35 U.S.C. § 103**

As set forth above, claims 5-6, 10-11, 14, 18, 21, 23, 30, 33 and 39 are all patentable over the prior art of record. The prior art references of Takiguchi, Weir, Okada, and Headon all fail to remedy the deficiencies of Hagy described above. Headon also describes an "Active Floor" that is used to obtain information. (Headon, at page 3, Fig. 1). This is the same design and approach used by Hagy. Weir ignores the floor and uses ultrasound pulses aimed at and reflected from the subject. (Weir, abstract). Takiguchi also ignores the floor and uses a microphone to obtain sound transmitted through the subject's body. (Takiguchi, abstract). Therefore, for at least the reasons set forth above, Applicants respectfully request that these rejections in the Office Action be withdrawn.

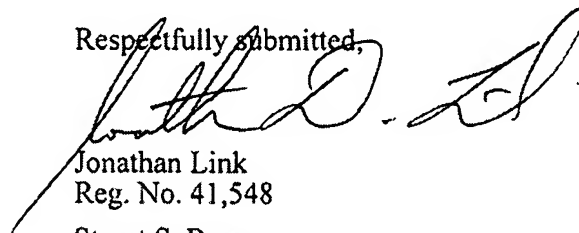
**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 202-481-9900.

The Commissioner is authorized to charge any fees due or credit any overpayment to the deposit account of Townsend and Townsend and Crew LLP, Deposit Account No. 20-1430.

Respectfully submitted,



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